

In the Claims:

1-37. (Previously Cancelled)

38. (Cancelled)

39-43. (Previously Cancelled)

44. (Cancelled)

45-49. (Previously Cancelled)

50. (Previously Cancelled)

51-80 (Cancelled)

81. (New) A method for selecting a mirrored service comprising:
configuring a distributed director with criteria for service selection;
assigning a weight to each criterion;
assigning a priority to each criterion;
determining if metric information is required by each criterion;
requesting metric information for each mirrored service for each criterion if metric information is required by the criterion; and
applying a selection algorithm based on the metric information, the priorities, and the weights of the criteria to select a mirrored service.

82. (New) The method of Claim 81 wherein the criteria comprises members from the set consisting of a portion scheme, an administrative cost scheme, a random scheme, a round trip time scheme, an external metrics scheme, an internal metrics scheme, a server metrics scheme, a local preferences scheme, a community attributes scheme, and a BGP attribute scheme.

83. (New) The method of Claim 81 wherein the selection algorithm comprises

comparing the metric information of the criterion with the highest priority for each mirrored service;

selecting the service with the fastest metric information with respect to the highest priority criterion;

comparing the metric information of the criterion with the next highest priority for each mirrored service if the metric information of the highest priority criterion is equal for two or more mirrored services; and

selecting the service with the fastest metric information with respect to the next highest priority criterion.

84. (New) A system for selecting a mirrored service comprising:

a distributed director operable to:

be configured with criteria for service selection;

assign a weight to each criteria;

assign a priority to each criterion;

determine if metric information is required by each criterion;

request metric information for each mirrored service for each criterion if metric information is required by the criterion; and

apply a selection algorithm based on the metric information, the priorities, and the weights of the criteria to select a mirrored service.

85. (New) The system of Claim 84 wherein the criteria comprises members from the set consisting of a portion scheme, an administrative cost scheme, a random scheme, a round trip time scheme, an external metrics scheme, an internal metrics scheme, a server metrics scheme, a local preferences scheme, a community attributes scheme, and a BGP attribute scheme.

86. (New) The method of Claim 84 wherein the selection algorithm comprises

comparing the metric information of the criterion with the highest priority for each mirrored service;

selecting the service with the fastest metric information with respect to the highest priority criterion;

comparing the metric information of the criterion with the next highest priority for each mirrored service if the metric information of the highest priority criterion is equal for two or more mirrored services; and

selecting the service with the fastest metric information with respect to the next highest priority criterion.

87. (New) A distributed director comprising:

logic encoded in a computer readable media operable to:

be configured with criteria for service selection;

assign a weight to each criterion;

assign a priority to each criterion;

determine if metric information is required by each criterion;

request metric information for each mirrored service for each criterion if metric information is required for the criterion; and

apply a selection algorithm based on the metric information, the priorities, and the weights of the criteria to select a mirrored service.

88. (New) The distributed director of Claim 87 wherein the criteria comprises members from the set consisting of a portion scheme, an administrative cost scheme, a random scheme, a round trip time scheme, an external metrics scheme, an internal metrics scheme, a server metrics scheme, a local preferences scheme, a community attributes scheme, and a BGP attribute scheme.

89. (New) The method of Claim 87 wherein the selection algorithm comprises

comparing the metric information of the criterion with the highest priority for each mirrored service;

selecting the service with the fastest metric information with respect to the highest priority criterion;

comparing the metric information of the criterion with the next highest priority for each mirrored service if the metric information of the highest priority criterion is equal for two or more mirrored services; and

selecting the service with the fastest metric information with respect to the next highest priority criterion.

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed on January 30, 2006.. Claims 38, 44, and 51-80 have been cancelled. Claims 81-89 have been added. Applicants respectfully request reconsideration and favorable action of all pending claims in view of the amendments and the following remarks.

Claim Objections

The Office Action states that the numbering of claims is not in accordance with 37 CFR 1.126. Applicants have cancelled these claims. Favorable action is requested.

Claim Rejections - 35 USC § 112

The Office Action states that Claims 38, 44 and 50-80 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have cancelled Claims 38, 44, and 50-80. Favorable action is requested.

Claim Rejections - 35 U.S.C. §§ 102 and 103

The Office Action rejects Claims 38, 44, 50, 54-59, 64-69 and 74-79 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,115,752 issued to Chauhan ("*Chauhan*"), Claims 51, 61 and 71 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Chauhan* in view of U.S. Patent No. 5,918,017 issued to Attanasio et al ("*Attanasio*"), Claims 52, 62 and 72 are rejected in the Office Action as being unpatentable over *Chauhan* in view of U.S. Patent No. 5,872,930 issued to Masters et al ("*Masters*"), Claims 53, 63 and 73 are rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over *Chauhan* in view of U.S. Patent No. 6,049,872 issued to Reiter et al ("*Reiter*"), Claims 60, 70 and 80 are rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over *Chauhan* in view of U.S. Patent No. 6,055,561 issued to Feldman et al ("*Feldman*").

Applicants have cancelled Claims 38, 44, and 50-80. New Claims 81-89 are based on the existing disclosure and no new matter has been added. Independent Claim 81 recites the limitations "assigning a weight to each criterion; assigning a priority to each criterion" and "applying a selection algorithm based on the metric information, the priorities, and the weights of criteria to select a mirrored service." These limitations are not taught by

Chauhan, either by itself, or in combination with the other references identified by the Office Action. For at least this reason, Claim 81 is allowable, as are the claims that depend therefrom. For similar reasons, Claims 84 and 87 are also allowable, as are the claims that depend therefrom. Favorable action is requested.